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| Attorney or Party Name, Address, Phone, Fax, Email: | For court use only | |
| | <p align="center">UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII</p> | |
| In re (Debtor(s)): | Case No.: | Chapter 13 |
| | Non-hearing motion | |
| <p align="center"><u>EX PARTE MOTION TO INCUR DEBT</u></p> <p align="center"><i>[Notice and hearing not required in Chapter 13 case if all conditions on the page below are satisfied.]</i></p> | | |
| Collateral: | Loan amount: | |

An order is hereby requested authorizing the Debtor(s) to incur new debt for the purpose of completing the remaining payments due under the Chapter 13 plan and to modify the plan to provide for an accelerated lump sum distribution. The undersigned alleges the following.

1. The new debt being incurred is secured by property that revested in the debtor(s) upon confirmation of the Chapter 13 plan or otherwise is not property of the estate.
2. The loan proceeds being obtained will be sufficient to pay all remaining payments to the Trustee under the Chapter 13 plan, as shown on page 2 of this motion.
3. Any loan proceeds designated to pay compensation and expenses to the attorney for the Debtor(s) shall be subject to court approval of a separate application with detailed billing time records. Pending approval, loan proceeds may be deposited into a client trust account.
4. The Chapter 13 Trustee has no objection to this request, as shown on page 2.

Ex Parte Motion to Incur Debt (Chapter 13) - Worksheet

(All figures entered are good faith estimates.)

| | | | |
|----|--|----------|----|
| 1 | Loan Amount | | \$ |
| 2 | Existing liens to be paid from proceeds | | |
| a) | _____ | \$ _____ | |
| b) | _____ | \$ _____ | |
| c) | _____ | \$ _____ | |
| 3 | Loan costs and other items payable at closing (<u>except</u> for debtor's attorney fees and costs) | \$ | |
| 4 | Add amount(s) in line 2 and line 3 | | \$ |
| 5 | Subtract line 4 from line 1 | | \$ |
| 6 | Total remaining payments due under plan (as of estimated date of closing) | \$ | |
| 7 | Debtor's attorney fees and costs to be paid from proceeds (separate application required) | \$ | |
| 8 | Add line 6 and line 7 | | \$ |
| 9 | Subtract line 8 from line 5 (surplus to Debtor(s)) | | \$ |

Other information (if any) to support this request [*attach additional pages if necessary*]:

Dated: _____

Debtor / Attorney

No objection:

Joint Debtor / Attorney

Chapter 13 Trustee

| | | |
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| | UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII | |
| In re (Debtor(s)): | Case No.: | Chapter 13 |
| | Related Docket No.: | |

ORDER GRANTING MOTION TO INCUR DEBT

There being no objection by the Chapter 13 Trustee and for good cause,

IT IS HEREBY ORDERED that the motion by the Debtor(s) to incur debt for the purpose of completing all remaining payments due under the confirmed Chapter 13 plan is GRANTED as follows.

1. The Debtor(s) may incur new debt by obtaining a loan in the following amount:
\$_____.
2. After paying off existing liens and encumbrances, loan proceeds of: \$_____ to complete remaining payments due under the Chapter 13 plan shall be paid to:
Howard M.S. Hu
Chapter 13 Trustee
1132 Bishop Street, Suite 301
Honolulu, Hawaii 96813.
3. Loan proceeds to pay fees and costs of the attorney for the Debtor(s) shall be disbursed to the attorney in the amount below for deposit in the attorney's client trust account. These funds shall not be withdrawn from the trust account pending court approval of the attorney's application for compensation and reimbursement for expenses.
Attorney Fees and Costs: \$_____.
4. Other:

Dated: _____

United States Bankruptcy Judge